



PATENT
ATTORNEY DOCKET NO. DIVER1120-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Murphy and Reid
Application No.: 09/886,400
Filed: June 20, 2001
Title: ENZYME HAVING ALPHA-GALACTOSIDASE ACTIVITY AND
METHODS OF USE THEREOF

Art Unit: 1633
Examiner: Unassigned

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF ADDITIONAL DRAWINGS

Sir:

Transmitted herewith are Figures 5A, 5B and 5C to submit for the above-identified patent application. In the original filing of the present application, on June 20, 2001, only Figure 5A was included. The complete figure was not submitted at that time.

The present application is a continuation in part of U.S. Application Serial No. 09/619,072, filed July 19, 2000; which is a divisional of U.S. Application Serial No. 09/407,806, filed September 28, 1999; which is a divisional of U.S. Application Serial No. 08/613,220, filed March 8, 1996, now issued U.S. Patent 5,958,751, issued September 28, 1999. All of these applications are incorporated by reference on the first page of the present application in the "Related Applications" section. The complete Figure 5, parts A, B, and C were previously submitted in all three parent applications as Figure 1. Figure 5 submitted herein was therefore previously disclosed, and incorporated by the present application. Figure 5 has been amended however, to correctly identify that the last two rows of nucleotides end with nucleotide numbers 1056 and 1095, respectively.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on September 20, 2001, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231

Karen LePari
Karen LePari

In re Application of
Murphy and Reid
Serial No.: 09/886,400
Filed: June 20, 2001

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As Figure 5 was previously disclosed by the parent applications to the present application and was incorporated by reference to those applications, submission of this figure does not constitute new matter. Therefore, entry of Figure 5, parts A, B and C is respectfully requested.

Remarks

No fees is believed to be due; however, please charge Deposit Account No. 50-1355 for any fees or credits believed to be due in connection with the filing of this paper.

Respectfully submitted,



Date: September 20, 2001

Lisa A. Haile, Ph.D.

Reg. No. 38,347

Attorney for Applicant

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BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed July 20, 2001,

enclosed are:

1. A copy of the Notice to File Missing Parts of Application (2 pages);
2. An executed Declaration For Patent Application (4 pages);
3. An executed Power of Attorney by Assignee (1 page);
4. Statement Under 37 C.F.R. §§ 1.821(f) and (g) (1 page);
5. Verified Statement Under 37 C.F.R. § 1.821(f) (1 page);
6. Sequence Listing (4 pages);
7. Disk containing Sequence Listing;

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on September 20, 2001, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231

Karen LePari
Karen LePari

In re Application of:
Murphy and Reid
Application No.: 09/886,400
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Atty Docket No.: DIVER1120-4

8. Submission of Drawings (2 pages);
9. Drawings (3 sheets);
10. Request for Corrected Filing Receipt (2 pages);
11. Copy of Filing Receipt issued in error (first page only);
12. Check in the amount of \$1,923.00;
13. Return Receipt Postcard.

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PATENT
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Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Large Entity	Small Entity		Small Entity	Large Entity
Total Claims	92-20	=	72	X	\$18	\$09	=	\$648.00	\$ 0.00
Independent Claims	21-3	=	18	X	\$80	\$40	=	\$720.00	\$ 0.00
Multiple Dependent Claims Presented: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					\$270	\$135		\$135.00	
							BASIC FEE	\$355.00	\$720.00
							TOTAL FEE	\$1,858.00	\$ 0.00

XX Enclosed is a check in the total amount of \$1,923.00 which includes \$1,858.00 as filing fee and \$65.00 as payment for the surcharge fee for missing parts of the application. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Lisa A. Haile, J.D., Ph.D.
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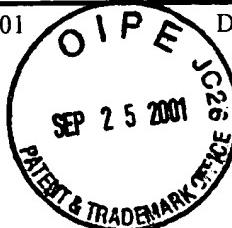
JUL 26 2001



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/886,400	06/20/2001	Dennis Murphy	DIVER1120-4



GRAY CARY WARE & FREIDENRICH LLP
 Suite 1600
 4365 Executive Drive
 San Diego, CA 92121-2189

CONFIRMATION NO. 4902
FORMALITIES LETTER

OC000000006326789

Date Mailed: 07/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)***Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- Total additional claim fee(s) for this application is \$3322.

■ \$1692 for 94 total claims over 20.	09/26/2001 SSESHE1 00000106 09886400
■ \$1360 for 17 independent claims over 3 .	01 FC:201 355.00 OP
■ \$270 for multiple dependent claim surcharge.	02 FC:203 648.00 OP
	03 FC:202 720.00 OP
	04 FC:204 135.00 OP
	05 FC:205

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 4162.**

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

[Signature]
A copy of this notice MUST be returned with the reply.

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PART 2 - COPY TO BE RETURNED WITH RESPONSE